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Attorney for David Nosal

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR-08-0237-MHP
)	
Plaintiff,)	DEFENDANT DAVID NOSAL'S
)	REQUEST, STIPULATION AND
Vs.)	[PROPOSED] ORDER PERMITTING
)	WAIVER OF APPEARANCE AT
DAVID NOSAL,)	HEARING
)	
Defendant.)	Honorable Marilyn Hall Patel
)	
)	Hearing Date: December 9, 2009 @ 2:30 p.m.
)	
)	

Defendant David Nosal, by and through his attorney, Steven F. Gruel, hereby submits this REQUEST, STIPULATION AND [PROPOSED] ORDER PERMITTING WAIVER OF APPEARANCE AT HEARING set for December 9, 2009 at 2:30 p.m. before the Court.

REQUEST AND STIPULATION FOR WAIVER OF APPEARANCE

The Defendant filed a Motion To Reconsider Previous Ruling Denying the Dismissal of Counts Two To Nine of the Superseding Indictment. Although originally scheduled for hearing on December 7, 2009, at 11:00 a.m., the parties filed a stipulation seeking permission to

DAVID NOSAL'S WAIVER OF APPEARANCE

1 reschedule the hearing date to December 9, 2009. [Docket Numbers 123; 125]. This new date
2 and time, however, inadvertently conflicts with an important business matter for Mr. Nosal.

3 Mr. Nosal understands his right to be present at this December 9, 2009 motion hearing and,
4 with the Court's permission, respectfully requests that his appearance be waived.

5 The government stipulates to this defense request to waive Mr. Nosal's appearance for the
6 December 9, 2009 motion hearing.
7

8
9 Dated: November 18, 2009 /s/ _____

10 STEVEN F. GRUEL
11 Attorney for David Nosal

12 Dated: November 18, 2009 /s/ _____

13 KYLE F. WALDINGER
14 Assistant United States Attorney

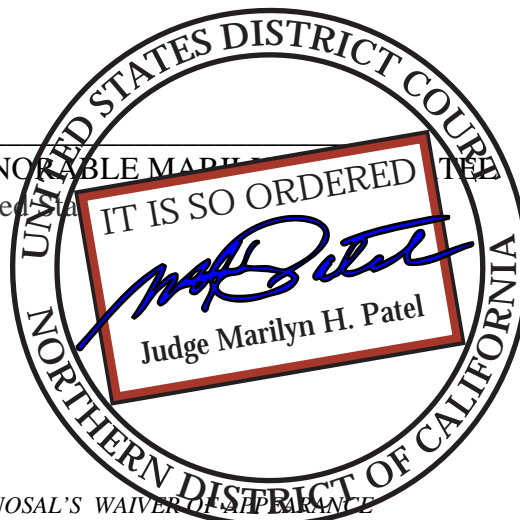
15
16 ~~PROPOSED~~ ORDER

17 PREDICATED on defense counsel's request and the parties' stipulation,
18 defendant David Nosal's appearance is hereby waived for the December 9, 2009
19 2:30 p.m. motion hearing.

20 IT IS SO ORDERED.

21 11/20/2009

22 HONORABLE MARILYN H. PATEL
23 United States District Judge



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25 DAVID NOSAL'S WAIVER OF APPEARANCE
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